



## **PLANNING & ZONING BOARD MEETING**

January 23, 2007  
7:00 pm

The Trinity Planning Board held their January 23, 2007 Regular Planning and Zoning Board Meeting at Trinity Memorial United Methodist Church, 7140 NC Highway 62, Trinity. A quorum was present.

**PLANNING BOARD MEMBERS PRESENT:** Chairman, Robbie Sikes; Planning Members David Albertson, J.R. Ewings, Linda Gantt, Vernel Gibson, Buddy Maness, Scott Norman and Melvin Patterson.

**PLANNING BOARD MEMBERS ABSENT:** None

**OTHERS PRESENT:** City Manager, Ann Bailie; Planning/Zoning Administrator/ Code Enforcement Officer, Adam Stumb; Assistant City Clerk/Special Project Coordinator Diana Schreiber and members of the audience.

### **ITEM 1. Call to Order**

City Manager Bailie called the January 23, 2007 Meeting to order at 7:00 p.m. and welcomed those in attendance.

### **ITEM 2. Adoption of Revised Agenda**

City Manager Bailie announced the Agenda had been revised. The original Agenda was amended to include Item #3, Oath of Office and Election of Chair and to postpone consideration of initial zoning for property on Finch Farm Rd. that was proposed for annexation and a request for a special use permit for a new high school on the property.

City Manager Bailie explained that the annexation issue will be discussed at the 2/20/07 City Council Meeting scheduled to be held at Trinity Memorial United Methodist Church at 7:00 p.m. The reason for revising the Agenda involves the procedure for considering a special use permit request. Special Use Permits can only be issued following quasi-judicial proceedings involving the presentation of evidence. The quasi-judicial hearing for this site may not be held unless the City has zoning jurisdiction over the property. Planning & Zoning Board Members are not allowed to discuss special use permit requests prior to hearing evidence. Therefore, the Board may not consider the Special Use Permit request unless and until the city has zoning jurisdiction over the property by annexation.

***Board Member Gantt made a motion to adopt the revised agenda; the motion was seconded by Board Member Norman. The revised Agenda was approved unanimously.***

**Item 3. Oaths of Office & Election of Chair**

**a. Oaths of Office**

Assistant City Clerk Diana Schreiber, administered the oaths of office for reappointed 2007 Planning and Zoning Board members Linda Gantt, David Albertson, and Vernal Gibson.

**b. Election of Chair**

City Manager Bailie conducted the election of the Chairman of the 2007 Planning and Zoning Board. The following candidates were nominated for the position.

*Robbie Sikes was nominated by motion of Member JR Ewings. The motion was seconded by Member Norman. Member Albertson was nominated by motion of Member Maness; the motion was seconded by Member Patterson. Member Gibson moved to close the nominations; Member Patterson seconded the motion.*

*Member Robbie Sikes was elected Chairman 4:3; Member Albertson abstained from voting for the position of Chairman.*

*Chairman Sikes assumed the role of Chairman and conducted the election of Vice-Chair.*

**c. Election of Vice Chair**

*Member Albertson was nominated for the position of Vice-Chair by motion of Member Gantt; the motion was seconded by Member Norman. The nominations were then closed by Chairman Sikes; Member Albertson was nominated by unanimous decision to the position of Vice-Chair by the Planning & Zoning Board members.*

*The elections for Chair and Vice-Chair were then closed by Chairman Sikes.*

**ITEM 4. Pledge of Allegiance**

Chairman Sikes lead the Pledge of Allegiance.

**ITEM 5. INVOCATION**

Member Gibson gave the invocation.

**ITEM 6. Approval of Minutes**

Chairman Sikes called for any changes, corrections, or additions to the December 12, 2006 Minutes.

*Member Albertson made a motion to accept the December 12, 2006 Minutes as written, seconded by Member Maness and approved unanimously by all Planning Board Members present.*

**ITEM 7. Public Comments Section**

*Any comments not listed on Agenda were requested by Chairman Sikes. Hearing none, Chairman Sikes closed the Public Comments Section.*

*No public comments made.*

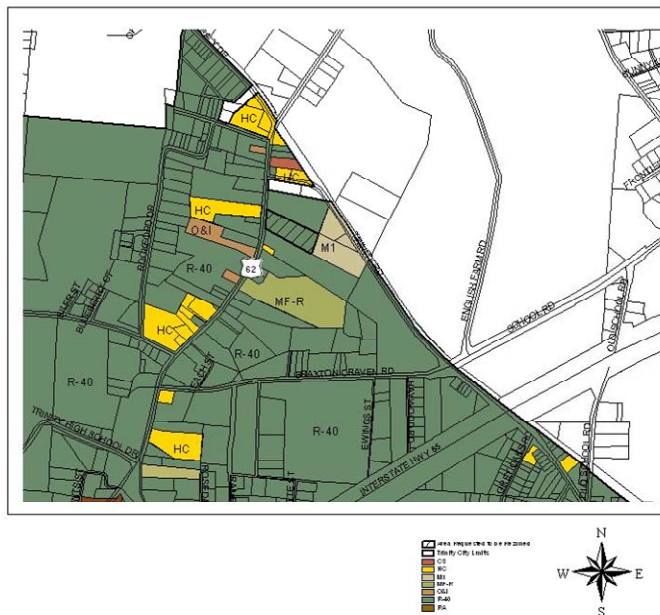
ITEM 8. Rezoning Request #Z07-03CZ



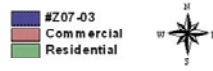
## Rezoning Request #Z07-03CZ

- Current Zoning = RA
- Proposed Zoning = HC-CZ (Highway Commercial Conditional)
- Property Size = 2.467 acres

Current Zoning - #Z07-03CZ



### Current Land Use





## **CONDITIONS**

1. No building elevation, including foundation, may be covered with sheet or corrugated aluminum, iron, steel, plain concrete block or exterior panelized plywood. Except, however, such materials may be used as secondary exterior finish materials if they cover no more than twenty (20) percent of the surface area of any one elevation. The builder is encouraged to use the following materials, utility brick, standard brick, stucco, synthetic stucco, color split face block, glass, stone, cement composite siding or other similar high quality materials. Building material shall be presented prior to issuance of a zoning permit.
2. All lighting shall be directed in to the property so as not to trespass in to the adjoining property. A lighting plan shall be presented prior to issuance of a zoning permit.

### **a. Staff Comments**

*Planner Stumb's Staff Report is attached on Summary Sheet, Meeting Date 1/23/07, Item #7.*

Surrounding properties consist of mixed zoning with residential and highway commercial. DOT may propose improvements along frontage as turn lane. DOT will make recommendations with approval of the driveway permit. Refer to building conditions specified above. Adjacent properties are commercial oriented; rezoning to highway commercial fits with neighborhood. Lighting plan will be requested from developer.

Planner Stumb passed out a new recommendation form for rezoning requests. The form has been revised to add more information to Planning & Zoning Board's decision making process. Zoning decisions should be verified for compliance with the land use plan. A segment of the form will contain the Board's rezoning recommendation in favor or in denial with specific reasoning attached.

**b. Public Hearing/Comments**

Chairman Sikes opened the Public Hearing. Opposition against the rezoning was expressed by Chester Ayers of 3498 Circle Court, Trinity who stated that since the thoroughfare overlay and land use plan are not yet approved, the rezoning may not be in the best interests of Trinity, especially due to its proximity to the historical area.

Ronald W. Smith 10189 Archdale Rd, Trinity, applicant for rezoning, summarized the zoning history of the property. East side zoned industrial by Archdale, prior to Trinity's incorporation. Western portion is RA to the gulch; this section is requested to be rezoned HC-CZ.

*Being that there were no further comments by residents, Chairman Sikes closed the public hearing section.*

**c. Board Discussion and Recommendation**

Member Gantt asked Applicant Smith about the parcel's current zoning which is heavy industrial on its east side. Applicant Smith accepts Staff's conditions to the property. Manager Bailie asked Planner Stumb if the permitted uses currently are the same as in HC. Planner Stumb responded affirmatively.

*With no further discussion, Member Patterson made a motion to approve the request to rezone the property to HC-CZ. Member Maness seconded the motion. The rezoning request was approved unanimously.*

**ITEM 9. Rezoning Request #Z07-02**



## Rezoning Request #Z07-02

- Current Zoning = RA
- Proposed Zoning = R-40
  
- Current Use = residential
- Proposed Use = R-40
  
- Property Size = 2 acres





**a. Staff Comments**

*Planner Stumb's Staff Report is attached on Summary Sheet, Meeting Date: 1/23/07, Item #6.*

Due to a time conflict, the representative for the developer did not arrive at the meeting. Planner Stumb described the rezoning request of the non-conforming parcel. Since the City revised its zoning regulations for RA to 2 ½ acres/lot, the property owner is requesting rezoning from RA to R-40 which will allow the parcels to conform to current zoning regulations. Property owner intends to subdivide the parcel into two lots for two homesites. Member Gantt asked about the perking of property. Planner Stumb indicated that the applicant is in the process of a perk review. Only modular or stick-built homes will be allowed on the properties.

**b. Public Hearing/Comments**

Chairman Sikes opened the Public Hearing. No public comments were made in favor or against the rezoning request. Hearing none Chairman Sikes closed the public hearing section.

**c. Board Discussion and Recommendation**

*Chairman Sikes made a motion to accept the rezoning proposal; Member Patterson seconded. The rezoning request was approved unanimously.*

**ITEM 10. Comments from the Board**

No comments heard.

**ITEM 11. Comments from Staff**

Planner Stumb passed out a revised City of Trinity Meeting Calendar for 2007.

**ITEM 12. Adjourn**

*With no other business to discuss, Chairman Sikes called for a motion to adjourn. Motion to adjourn the January 23, 2007 Planning/Zoning Regular Meeting at 7:28 p.m. was made by Planning Member Norman, seconded by Planning Member Maness, and approved unanimously by all Planning Members present.*